

REMARKS/ARGUMENTS

Claims 4, 10-18, 20-30 and 32-57 are pending. Claims 10, 15, 18, 27, 34, 41, 53 and 54 have been amended. Support for these amendments may be found throughout the Specification.¹

Applicants also wish to thank the Examiner for the indication that claims 4, 21, 33 and 39 are allowed and that claims 55-57 contain allowable subject matter.

Applicants respectfully request reconsideration of this application based on the following remarks.

Claim Rejections – 35 USC § 103

Claims 10-12, 14-18, 20, 22-30, 32, 34-38, and 40-49 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jung (US 6,049,716) in view of Pussinen (US 6,532,363); and Claims 50-52 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jung in view of Pussinen, and further in view of Antonio et al. (US 6,208,858). Applicants respectfully traverse the rejection as follows.

To establish a *prima facie* case of obviousness, all of the claimed features must be taught or suggested by the references and there must be some suggestion or motivation, in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.²

Jung and Pussinen, alone or in combination, fail to disclose or suggest the features recited by the claims. Specifically, referring to independent claims 10, 15, 18, 27, 34, 41, 53 and 54, Jung and Pussinen fail to disclose or suggest apparatus or methods for modifying or setting a transmission parameter of a wireless link depending on soft handoff detection, and more specifically, modifying or setting a frame size to a first value/size or a second value/size depending on if a mobile station communicating via the wireless link is detected as entering or leaving a soft handoff.

For example, the Office Action, on page 2, asserts that Jung discloses a processing subsystem configured to set a transmission parameter comprising a parameter size to a first value or a second value in response to detecting that the mobile station is entering or leaving soft handoff, as recited in claim 10, however, Applicants respectfully disagree.

¹ See, e.g., Specification, paragraphs 0021, 0022 and 0036.

² MPEP, section 2142.

Jung, as described the Abstract, relates to "a method for providing a soft swap handoff" where "if the pilot strength of a newly detected base station is above [a] predetermined level and also stronger by a prescribed value than the weakest one among those of the base stations presently in the active state, then a base station controller (BSC) instructs the mobile station to drop the weakest base station among the base stations that are presently in the active state and to add the newly detected base station." However, Jung does not disclose or suggest modifying or setting a transmission parameter of a wireless link depending on if a mobile station communicating via the wireless link is detected as entering or leaving a soft handoff, nor does Jung more specifically disclose or suggest modifying or setting a frame size to a first value/size or a second value/size depending on if the mobile station communicating via the wireless link is detected as entering or leaving a soft handoff.

In particular, as cited by the Examiner, Jung, in col. 5, lines 60-67 and col. 7, lines 26-38, discloses that after receiving a handoff direction message the mobile station adds and removes cells from an active set based upon received pilot strengths. Adding or removing a cell from an active set stored on a mobile station is not a transmission parameter of a wireless link, as recited. As claimed and as described in the Specification (see, e.g., paragraphs [0021], [0022] and [0036]) a transmission parameter is a characteristic of a wireless link. As such, the disclosure by Jung of adding and removing a cell from an active set does not teach or suggest modifying or setting a transmission parameter of a wireless link. Thus, Jung does not disclose or suggest the recited subject matter of modifying or setting a transmission parameter of a wireless link on which a mobile station is communicating to a first value or a second value in response to detecting that the mobile station is entering or leaving soft handoff. (Emphasis added).

Pussinen and Antonio fail to disclose at least the above recited features, and therefore, fail to cure the above noted deficiencies of Jung.

For at least the above reasons, Applicants submit that independent claims 10, 15, 18, 27, 34, 41, 53 and 54 are allowable over the cited references.

Claims 11, 12, 14, 16, 17, 20, 22-26, 28-30, 32, 35-38, 40, 42-52, which depend from a respective one of the independent claims, are likewise allowable for at least the same reasons, as well as for the additional features recited therein.

Therefore, based on the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 10-12, 14-18, 20, 22-30, 32, 34-38, 40-49 and 50-52 under 35

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USC § 103(a) as being unpatentable over Jung in view of Pussinen and/or Antonio.

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CONCLUSION

In light of these remarks, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: December 16, 2009

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